

MINUTES

A regular meeting of the China Grove Town Council

**Tuesday, March 2nd, 2010
7:00 p.m.**

**China Grove Town Hall
China Grove, North Carolina**

CALL TO ORDER

Mayor Bringle called the meeting of March 2, 2010 to order and welcomed all in attendance to join in the Pledge of Allegiance. Mayor Bringle called roll. All council members were present with the exception of Mr. Linn, there was a quorum. The meeting started at 7:00 pm at the Municipal Building.

Mr. Seaford made a motion to adopt the agenda for the regular meeting of the Town Council on March 2, 2010 with an addition of IV) JROTC Request and making item II) become item I). Mr. Upright seconded the motion, which carried unanimously.

Mr. Upright made a motion to adopt the February 2, 2010 regular meeting minutes. Mr. Withers seconded the motion, which carried unanimously.

PUBLIC HEARING

I) Amendments to UDO

Ms. Emily Jackson reviewed the staff report provided to the Town Council. She stated that the Planning Board recommends the proposed amendments. The Board also recommended that notification for all rezoning be changed to require personal delivery or registered, certified or delivery receipt mail.

Mr. Upright asked an example of a “third party”.

Ms. Jackson stated that it can be anyone who requests the rezoning. She stated that the ordinance allows the opportunity. She stated that she hasn’t seen this happen very often.

Mr. Upright asked who would make the decision on the delivery.

Ms. Jackson stated that they would provide the most economical delivery.

Mayor Bringle opened the Public Hearing.

There were no comments.

Mayor Bringle closed the Public Hearing.

Mr. Upright made a motion that the amendment is consistent with adopted Town plans and policies. Mr. Overcash seconded the motion, which carried unanimously.

Mr. Seaford made a motion to approve the proposed amendments to Section 13.5, Standard Rezoning Process and Section 13.6, Conditional Use District Rezoning Process. Mr. Withers seconded the motion, which carried unanimously.

II) Unnamed Street Closing

Mr. Brooke stated that this is continued from the previous meeting when the Resolution of Intent was adopted and request published in the Salisbury Post. He stated that the Town Council needs to convene a public hearing and at the end, the council will need to make a motion to close the street. He stated that the order will be filed at the Register of Deeds office.

Mayor Bringle opened the Public Hearing.

There were no comments.

Mayor Bringle closed the Public Hearing.

Mr. Withers made a motion to close the said unnamed street and divide the property between the two adjoining property owners. Mr. Seaford seconded the motion, which carried unanimously.

CITIZEN COMMENTS

Pete Kluttz – 809 Railroad Avenue

Mr. Kluttz asked if the sidewalk project has been bid out and awarded.

Mayor Bringle stated that it had been.

Mr. Pless stated that it was awarded to W.M. Warr and Son

Mr. Kluttz stated that gravel from the Little League parking is washed out and requested to have the Town clean up this once the rain has discontinued.

Mayor Bringle deferred this item to the Town Manager to be in touch with the Public Works Department.

NEW BUSINESS

I) USDA Grant

Mr. Alan Hart provided a packet of loan information for the Town Council. He stated that the project will consist of a Fire Department and Town Hall renovation in the loan amount of \$1.8 million. He stated that the Town will be given a 4% interest rate or the interest rate at closing, whichever is lowest. He stated that the money for the project is coming from the RDNC. He stated that there will be certifications and reporting requirements by the Town. He stated that products that go into the structure must be made in America as well as wage rate requirements. He stated that they will work with staff as well as the contractors and architects. He stated that the proposal consists of a repayment period not to exceed thirty years. He reviewed several financial requirements that can be found within the packet of information. He stated that the Town is not required to secure a bond referendum but will have an installment purchase agreement and interim financing (construction loan). A proposed construction budget has been established along with staff and architects. He stated that they require payment to be bank drafted and details will be worked out at a later time. He stated that the Town will be required to provide a copy of the annual audit and budget. He stated that if more than \$500,000 is expended, the Town is required to have a more specific audit that may be more expensive in the year the federal money is expended. He stated that anyone that handles money for the Town will need to be bonded in a greater amount. He stated that an operating budget will be signed this evening and stated that he is satisfied that there are sufficient monies as of today's date to cover this project's debt service. He stated that they will require the Town to deposit monthly an appropriation to cover unexpected expenses in a reserve account. He stated that the Town will be agreeing that when the Town is financially able to do so, the Town will need to obtain a loan from a private industry and pay the USDA. He stated that they will not make this burdensome to the Town and that they are pleased to make this offer to the Town. He stated that an applicant certification that will have to be signed in case of delinquency or default. Also, he stated that there will be a department certification and he has already found proof that the Town is not on this list. He stated that bidding, construction and procurement will be publicly bid and the Town will have to approve the plans and specifications. He asked that the Town accept the lowest responsible bidder for the project. He stated that he has provided a checklist to the Town Manager of items that will need to be completed before the project can begin. He stated that the applicant contribution will be \$100,000 from fund balance towards project costs. He stated that costs are competitive at this time and expects to receive good bids. He stated that there is a resolution provided in the packet that will need to be approved by the Town Council.

Mr. Hart asked the Town Council if they have any questions.

There were no comments from the Council.

Mr. Hart read the Resolution to the Town Council.

Mr. Withers made a motion to adopt the Resolution for the purpose of the USDA loan of \$1.8 million. Mr. Upright seconded the motion, which carried unanimously.

Mr. Hart recognized Mr. Bill Hobbs, Mr. Brian Queen and Ms. Katrina Travis.

Mr. Overcash made a motion to recess to sign the documents. Mr. Withers seconded the motion, which carried unanimously.

Mayor Bringle reconvened the meeting at 7:45.

II) Code Enforcement Update

Mr. Tony Cline reported on Code Enforcement activity. He stated that things have been slow but have started to pick up. He stated that he has thirteen cases that he is currently working on and has two cases that he has sought the assistance of Mr. Brooke. He stated that the parcel on the corner of Shue Road is owned by someone that he is having difficulty contacting but is continuing to work on this case. He stated most items are routine.

Mr. Withers asked what will happen if they are not able to locate the owner of the property at the corner of Shue Road.

Mr. Cline stated that he is able to send notices to the owner of Booms Automotive. He stated that he is waiting on mailings to either return or be served.

Mr. Withers asked for a time frame.

Mr. Cline stated that once the owner is served, it is up to ninety days. He stated that a hearing should be scheduled by the end of the month. He hopes to be in contact with the owner and will be happy to give information to anyone who is interested in hearing where he is in the process.

Mr. Upright stated that he would like to see a list of the current items.

Mr. Cline stated that he can provide a list by email to the Town Council.

Mr. Upright stated that he would like to be aware of specific complaints.

Mr. Cline stated that he would do that as well as provide contact information to the Town Council.

Mayor Bringle asked that complaints be directed to the Town Manager so that he may relate the items to Mr. Cline.

III) Coldwater Creek Easement

Mr. Pless stated that this project has been going on for approximately four years. He stated that Mr. Mishak couldn't be present because of being under the weather. He stated that the sewer line will make sewer available to China Grove's portion in the I-85 corridor from Webb Road to where sewer is already available. He stated that the project has been sent out for bids. He stated that the Town of China Grove will be responsible for paying for the Easements and for any tie-ins needed in the amount of \$23,647.26. He stated that this will be in conjunction with the Altec project and will also allow flow capacity for development in the Hitachi/152 East area. He stated that the City of Salisbury has sent an invoice to the Town for \$23,647.26.

Mr. Withers made a motion to approve the expenditure of \$23,647.26 for the easement acquisition. Mr. Seaford seconded the motion, which carried unanimously.

IV) JROTC Request

Mayor Bringle stated that the drill team has been chosen to compete in Georgia. He stated that they are requesting a donation by the Town of China Grove to help fund the costs of this endeavor. Mayor Bringle stated that the Town of Landis is committing \$500. He asked the Town Council for consideration to support the JROTC in the amount of \$500.

Mr. Seaford made a motion to contribute \$500 to South Rowan/Carson JROTC. Mr. Withers seconded the motion, which carried unanimously.

Mrs. Bopp asked if this is in addition to the \$800 budgeted.

Mayor Bringle stated that he believes this should be above and beyond the budgeted amount of \$800 to total \$1,300.00.

OTHER BUSINESS

Mayor Bringle thanked the staff for the retreat as well as the Historical Society for the use of the Roller Mill.

Mayor Bringle stated that he asked the Police Department to report street light outages. He stated that of the lights that were reported that a large percentage of the lights were residential and not Town property.

Mr. Pete Kluttz stated that at the bend of Railroad Avenue there is a streetlight on a pole that is residential but asked if it can be changed to a streetlight maintained by the Town.

Mayor Bringle stated that he would reference this to the Town Manager for advisement.

Mayor Bringle stated that there will be an Easter Egg Hunt at the Community Building April 3, 2010. He also stated that there will be Singing in the Park April 30, 2010. He stated more information will be provided at a later time.

Mayor Bringle thanked those in attendance.

ADJOURN

Mr. Seaford made a motion to adjourn. Mr. Overcash seconded the motion, which carried unanimously.

Respectfully Submitted,

Amanda A. Eller, Town Clerk

Donald E. Bringle, Mayor